

In the Supreme Court of the United States

OCTOBER TERM, 1975

APR 27 1976

MICHAEL RODAK, JR., CLERK

No. 75-909

ENVIRONMENTAL PROTECTION AGENCY, PETITIONER

v.

EDMUND G. BROWN, JR., GOVERNOR OF THE  
STATE OF CALIFORNIA, ET AL.

ENVIRONMENTAL PROTECTION AGENCY, PETITIONER

v.

STATE OF ARIZONA, ET AL.

RESPONSE OF STATE OF ARIZONA, ET AL. TO  
PETITION FOR A WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS FOR  
THE NINTH CIRCUIT

BRUCE E. BABBITT  
*Attorney General*  
*State of Arizona*

ANTHONY B. CHING  
*Assistant Attorney General*  
*State of Arizona*  
*State Capitol*  
*Phoenix, Arizona 85007*

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Respondents, STATE OF ARIZONA, et al., join with the Petitioner in the petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit for these reasons:

1. There is a conflict among the circuits on the issue raised herein.
2. The question herein is an important one and should be decided by this Court.

Respondents submit that upon consideration by this Court, the decision of the United States Court of Appeals for the Ninth Circuit should be affirmed.

DATED this 23 day of April, 1976.

**BRUCE E. BABBITT**  
*Attorney General*

**ANTHONY B. CHING**  
*Assistant Attorney General*  
*Attorney for State of Arizona*  
*et al.*  
*159 State Capitol Building*  
*Phoenix, Arizona 85007*

Three copies of the Response mailed this 23 day of April, 1976 to:

**ROBERT H. BORK**  
*Solicitor General*  
*Department of Justice*  
*Washington, D. C. 20530*

- and -

**JOEL S. MOSKOWITZ**  
*Assistant Attorney General*  
*State of California*  
*555 Capitol Mall*  
*Sacramento, California 95814*

By

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**ANTHONY B. CHING**  
*Attorney for State of*  
*Arizona, et al.*